

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SAVIBANK,

Plaintiff,

v.

M/Y FREQUENSEA, Official Number  
1098950, her mast, bowsprit, boat, anchors,  
cables, chains, rigging, tackle, apparel,  
furniture, and appurtenances, in rem, and  
MICHAEL R. PRICE, in personam,

Defendants.

IN ADMIRALTY

CASE NO. 2:23-cv-00966-JHC

ORDER


Before the Court is Plaintiff Savibank's "Motion to Appoint Substitute Custodian and for Authorization for Movement of Defendant Vessel." Dkt. # 9. The Court has considered the motion, the submissions in support of the motion, the balance of the case file, and the applicable law. Being fully advised, the Court DENIES the motion without prejudice.

In admiralty cases, a plaintiff moving for an order appointing a substitute custodian must follow Local Admiralty Rule 135(b). W.D. Wash. LAR 135(b). Under this rule, a movant must submit an affidavit from the proposed substitute custodian and a proposed order that offer certain information. *See id.* In the proposed order, a plaintiff must provide "[t]he present location of the

1 property or the location where it will be when arrested, and the location for its safekeeping while  
2 in the custody of the proposed custodian.” *Id.*

3 Plaintiff has complied with almost all of Local Admiralty Rule 135(b)’s requirements.  
4 The proposed order explains that the vessel is currently moored at the Port of Everett Marina.  
5 Dkt. # 9-3 at 2. But Plaintiff offers no location for the vessel’s safekeeping. Plaintiff says, “The  
6 location for its safekeeping while in the custody of the proposed custodian will be Buck Fowler  
7 Jr. of Marine Lender Services, LLC.” *Id.* The Court therefore DENIES Plaintiff’s motion  
8 without prejudice. Dkt. # 9.

9 Dated this 29th day of June, 2023.

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11 John H. Chun  
12 United States District Judge  
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